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Attorneys for Plaintiffs
SHAWN MYERS and SARAH MYERS

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

JAMAL JACKSON; JANNIE MENDEZ,

Plaintiffs,

vs.

CITY AND COUNTY OF SAN
FRANCISCO, a municipal corporation;
HEATHER FONG, in her capacity as
Chief of Police for the CITY AND

Case No. C08-1916 MEJ

**AMENDED STIPULATION AND
~~PROPOSED~~ ORDER TO EXTEND
DISCOVERY, EXPERT DISCLOSURE
AND DISPOSITIVE MOTION
DEADLINES**

Trial Date: None Set

AMENDED STIP. PRO. RESCHEDULING EXPERT
DISCLOSURE AND DISCOVERY CUT-OFF DATES;
CASE NOS. C08-1916 MEJ ; C08-01163 MEJ

COUNTY OF SAN FRANCISCO; JESSE SERNA, individually, and in his capacity as a police officers for the CITY AND COUNTY OF SAN FRANCISCO; GARY MORIYAMA, individually and in his capacity as a police officer for the CITY AND COUNTY OF SAN FRANCISCO; and San Francisco police officers and employees DOES 1 through 50, inclusive,
Defendants.

SHAWN MYERS and SARAH MYERS,
Plaintiffs,
vs.

Case No. C08-01163 MEJ

Trial Date: Not set

CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation; HEATHER FONG, in her capacity as Chief of Police for the CITY AND COUNTY OF SAN FRANCISCO; JESSE SERNA, individually, and in his capacity as a police officer for the CITY AND COUNTY OF SAN FRANCISCO; GARY MORIYAMA, individually and in his capacity as a police officer for the CITY AND COUNTY OF SAN FRANCISCO; and San Francisco police officers and employees, DOES 1 through 50, inclusive,
Defendants.

The undersigned parties, through counsel, STIPULATE and AGREE and jointly request modification of this Court's Orders concerning and setting dates for discovery cut-offs in the above-captioned matters.

The parties make this request based on the following circumstances:

1. The parties filed a Stipulation and Proposed Order ("March 22 Stipulation") with the Court on March 22, 2010. The March 22, 2010 Stipulation requests that that the Court amend its Scheduling Order as follows:

- June 25, 2010: Last day for expert witness disclosures
- July 9, 2010: Rebuttal expert witness disclosure
- July 23, 2010: Close of fact and expert discovery

- August 19, 2010: Last day to file dispositive motions
- 10 a.m., September 23, 2010: Dispositive Motion Hearing

3. The parties erroneously attached an earlier draft of the Proposed Order to the March 22 Stipulation, which contained different dates than those dates stipulated by the parties.

4. On March 23, 2010, the Court signed the Proposed Order that contains the erroneously-submitted dates described below. That Proposed Order differs from the March 22 Stipulation as follows. It moves expert disclosure to April 26, 2010 rather than June 25, 2010, moves the date for close of discovery to May 12, 2010 rather than July 23, 2010 and does not address the dates for dispositive motions or expert rebuttal.

For the aforementioned reasons, the parties jointly request that the Court sign the attached amended Proposed Order, which conforms with the parties' March 22, 2010 stipulation. Consistent with the parties' March 22 Stipulation, the parties request that the Court amend its Scheduling Order as follows:

- June 25, 2010: Last day for expert witness disclosures
- July 9, 2010: Rebuttal expert witness disclosure
- July 23, 2010: Close of fact and expert discovery
- August 19, 2010: Last day to file dispositive motions
- 10 a.m., September 23, 2010: Dispositive Motion Hearing

IT IS SO STIPULATED.

Dated: March 25, 2010

DENNIS J. HERRERA
City Attorney
JOANNE HOEPER
Chief Trial Deputy
SEAN F. CONNOLLY
WARREN METLITZKY
Deputy City Attorneys

By: /s/ Warren Metlitzky
WARREN METLITZKY
Deputy City Attorney
Attorneys for Defendants CITY AND COUNTY OF
SAN FRANCISCO, et al.

1 Dated: March 25, 2010

LAW OFFICES OF CHEASTY & CHEASTY

2 By: /s/ Robert C. Cheasty

3 ROBERT C. CHEASTY

4 Attorneys for Plaintiffs JAMAL JACKSON and
JANNIE MENDEZ

5 **Pursuant to General Order 45, §X.B., the filer of this
6 document attests that s/he has received the concurrence
7 of this signatory to file this document.

8 Dated: March 25, 2010

FREITAS MCCARTHY MACMAHON
& KEATING LLP

9
10 By: /s/ Matthew C. Mani

MATTHEW C. MANI

11 Attorneys for Plaintiffs SHAWN MYERS and SARAH
12 MYERS

13 **Pursuant to General Order 45, §X.B., the filer of this
14 document attests that s/he has received the concurrence
15 of this signatory to file this document.

ORDER

Based on the above stipulation and the March 22, 2010 Stipulation of all parties, and for good cause appearing, IT IS ORDERED that the Court's Scheduling Order be amended as follows:

- June 25, 2010: Last day for expert witness disclosures
- July 9, 2010: Rebuttal expert witness disclosure
- July 23, 2010: Close of fact and expert discovery
- August 19, 2010: Last day to file dispositive motions
- 10 a.m., September 23, 2010: Dispositive Motion Hearing

Dated: March 26, 2010



THE HONORABLE MARIA-ELENA JAMES